

REMARKS

As a result of the foregoing amendments, claim 15 is canceled, claims 10, 12-14 and 16 have been amended and claims 17-29 have been added. Claims 1-9 were canceled in the preliminary amendment of June 24, 2003. Accordingly claims 10-14 and 16-29 are now pending.

Claims 10, 12-14 and 16 have been amended to restrict the genus of active ingredients to amines selected from the listed group, to correct grammar and antecedent errors and to specify that solution composition percentages are given by weight. Support for the genus of amines can be found throughout the specification. For instance, on page 2 in lines 22-24, the specification describes the active ingredient as "amines or amine oxides". A similar description appears again on page 5 in lines 18-21. Support that composition percentages given in the specification and claims are by weight can be found throughout the specification, including on page 3, in lines 7-9, and on page 8, in lines 14-15.

New claim 17 depends from claim 10 and adds the further limitation that the final concentration of amine in the combined biological source material and solution is about 0.5%, by weight. Support for this limitation is found on page 8, in lines 14-15.

New claims 18-20 are directed to a method using a solution consisting essentially of an amine oxide of the listed group. Support for the genus of amine oxides can be found throughout the specification, including the same passages listed above for support of the genus of amines.

New claims 21-24 are directed to a method using a solution consisting essentially of an amine oxide of the listed group and a detergent. Support for the addition of a detergent to the solution can be found on page 6, lines 3-5, including the limitation of claim 24, providing a concentration range for the detergent.

New claims 25-29 are directed to a method using a solution consisting essentially of an amine oxide of the listed group and a polyol, particularly glycerol. Support for these limitations can be found throughout the specification, including the originally filed claims.

Objection to claim 14 is improper

Claim 14 stood objected to for having identical claim scope as claim 13. This rejection was in error. Claim 13 depends from claims 10 and 11, neither of which require any particular percentage of amine in the solution. Claim 14 depends from claim 12, which requires the amine be from 0.001 to 10 percent, by weight, of the solution. So, claims 13 and 14 have different claim scopes. Accordingly, this objection is improper and should be withdrawn.

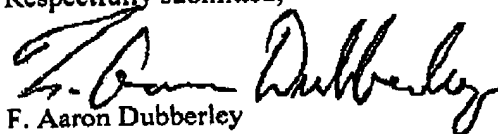
Applicants note that claim 14 was missing proper antecedent support for the term "glycerol" this has been corrected in the currently amended claims.

Rejection over Michaels has been overcome

Claims 10-16 stood rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 5,389,676, hereinafter "Michaels". This rejection has been overcome by amendment. Reconsideration and withdrawal of this rejection are respectfully requested. The teaching of Michaels is directed to compositions containing both betaines and amine oxides. Pending claims 10-14, 16 and 17 claim amines which are not taught or suggested by the Michaels disclosure of amine oxides. Pending claims 18-29 require that the solution "consist[s] essentially of" the amine oxides, and therefore excludes the betaines which Michaels teaches are necessary to the anti-infective properties of his solution.

This application is in condition for allowance.

Respectfully submitted,



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